

109TH CONGRESS
2D SESSION

S. 3618

To establish the Champlain Quadricentennial Commemoration Commission, the Hudson-Fulton 400th Commemoration Commission, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2006

Mrs. CLINTON (for herself, Mr. LEAHY, Mr. JEFFORDS, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Champlain Quadricentennial Commemoration Commission, the Hudson-Fulton 400th Commemoration Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Hudson-Fulton-Champlain Quadricentennial Commemo-
6 ration Act of 2006”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FINDINGS AND PURPOSE

Sec. 101. Findings and purpose.

Sec. 102. Coordination.

TITLE II—CHAMPLAIN QUADRICENTENNIAL COMMEMORATION
COMMISSION

Sec. 201. Definitions.

Sec. 202. Champlain Quadricentennial Commemoration Commission.

Sec. 203. Audit of Commission.

Sec. 204. Authorization of appropriations.

TITLE III—HUDSON-FULTON 400TH COMMEMORATION
COMMISSION

Sec. 301. Definitions.

Sec. 302. Hudson-Fulton 400th Commemoration Commission.

Sec. 303. Audit of Commission.

Sec. 304. Authorization of appropriations.

1 **TITLE I—FINDINGS AND**
 2 **PURPOSE**

3 **SEC. 101. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) The first European exploration of the Hud-
 6 son River and Lake Champlain and the introduction
 7 of steam navigation to maritime commerce were
 8 events of major historical importance, both in the
 9 United States and internationally.

10 (2) In 1609, Englishman Henry Hudson, acting
 11 in the service of the Dutch East India Company,
 12 was the first European to sail up the river later
 13 named for him in the vessel HALF MOON. Also in
 14 1609, French explorer Samuel de Champlain was
 15 the first European to see the lake later named for

1 him, as well as the shores of Northern New York
2 and Vermont.

3 (3) These voyages were two of the most signifi-
4 cant passages in the European exploration and dis-
5 covery of America, and included two of the earliest
6 contacts in the New World between Native Ameri-
7 cans and Europeans.

8 (4) These explorations led to the establishment
9 of Fort Orange, a Dutch (and later English) settle-
10 ment of what is now the capital city of the State of
11 New York, as well as the establishment of French
12 trading posts, military posts, and settlements as far
13 south as Lake George. From these early establish-
14 ments came trade, commerce, cultural, and religious
15 impact deep into the Mohawk Valley and as far west
16 as Lake Erie. These settlements influenced the Na-
17 tion's history, culture, law, commerce, and traditions
18 of liberty that extend to the present day, and that
19 are constantly reflected in the position of the United
20 States as the leader of the nations of the free world.

21 (5) In 1807, Robert Fulton navigated the Hud-
22 son River from the city of New York to Albany in
23 the steamboat CLERMONT, successfully inau-
24 gurating steam navigation on a commercial basis.
25 This event is one of the most important events in

1 the history of navigation. It revolutionized water-
2 borne commerce on the great rivers of the United
3 States, transformed naval warfare, and fostered
4 international relations through transoceanic travel
5 and trade.

6 (6) In 1909, the Congress authorized a Cham-
7 plain Tercentennial Commission and supported its
8 activities. The Congress recognized the 350th anni-
9 versary by establishing a similar commission to co-
10 ordinate Federal participation in the 1959 celebra-
11 tion of Hudson's and Champlain's discoveries.

12 (7) The National Park Service owns and oper-
13 ates significant resources in New York related to the
14 early history of the Nation and the Hudson River
15 Valley.

16 (8) In 2000, Canada's Province of Quebec es-
17 tablished a Quebec 400 Commission with a budget
18 in excess of \$1,000,000, of which commemoration of
19 the 1609 Champlain voyage into the Lake Cham-
20 plain region is a part.

21 (9) In 2002, the State of New York established
22 a Hudson-Fulton-Champlain Commission.

23 (10) In 2003, the State of Vermont established
24 a Lake Champlain Quadricentennial Commission.

1 (b) PURPOSE.—The purpose of this Act is to estab-
2 lish the Champlain Quadricentennial Commemoration
3 Commission and the Hudson-Fulton 400th Commemora-
4 tion Commission, to—

5 (1) ensure a suitable national observance of the
6 Henry Hudson, Robert Fulton, and Samuel de
7 Champlain 2009 commemorations through coopera-
8 tion with and assistance to the programs and activi-
9 ties of New York, Vermont, and the commemorative
10 commissions formed by these States;

11 (2) assist in ensuring that Hudson-Fulton-
12 Champlain 2009 observances provide an excellent
13 visitor experience and beneficial interaction between
14 visitors and the natural and cultural resources of the
15 New York and Vermont sites;

16 (3) assist in ensuring that Hudson-Fulton-
17 Champlain 2009 observances are inclusive and ap-
18 propriately recognize the diverse Hudson River and
19 Lake Champlain Valley communities that developed
20 over four centuries;

21 (4) facilitate international involvement, includ-
22 ing the involvement of the commemorative commis-
23 sion formed by Canada, in the Hudson-Fulton-
24 Champlain 2009 observances;

(5) support and facilitate marketing efforts for a commemorative coin, a commemorative stamp, and related activities for the Hudson-Fulton-Champlain 2009 observances;

(6) assist in the appropriate development of heritage tourism and economic benefits to the United States; and

(7) support and facilitate the related efforts of the Lake Champlain Basin Program in the coordination of efforts to commemorate the voyage of Samuel de Champlain.

12 SEC. 102. COORDINATION.

13 The two commissions established under this Act shall
14 ensure coordination of their activities to achieve seamless
15 and successful commemorations, and ensure consistency
16 with the plans and programs of the commemorative com-
17 missions established by the States of New York and
18 Vermont.

19 **TITLE** **II—CHAMPLAIN**
20 **QUADRICENTENNIAL COM-**
21 **MEMORATION COMMISSION**

22 **SEC. 201. DEFINITIONS.**

23 In this title:

1 (1) COMMEMORATION.—The term “commemo-
2 ration” means the commemoration of the 400th an-
3 niversary of Samuel de Champlain’s voyage.

4 (2) COMMISSION.—The term “Commission”
5 means the Champlain Quadricentennial Commemo-
6 ration Commission established by section 202(a).

7 (3) LAKE CHAMPLAIN BASIN PROGRAM.—The
8 term “Lake Champlain Basin Program” means the
9 partnership with Federal agencies established by the
10 States of New York and Vermont under section 120
11 of the Federal Water Pollution Control Act (33
12 U.S.C. 1270) to implement the Lake Champlain
13 management plan entitled “Opportunities for Ac-
14 tion”.

15 (4) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior.

17 (5) STATES.—The term “States”—

18 (A) means the States of New York and
19 Vermont; and

20 (B) includes agencies and other entities of
21 each such State.

1 **SEC. 202. CHAMPLAIN QUADRICENTENNIAL COMMEMORA-**
 2 **TION COMMISSION.**

3 (a) IN GENERAL.—The Secretary shall establish a
 4 commission to be known as the “Champlain
 5 Quadricentennial Commemoration Commission”.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be
 8 composed of 11 members, of whom—

9 (A) 2 members shall be employees of the
 10 National Park Service, of whom—

11 (i) one shall be the Director of the
 12 National Park Service (or a designee of the
 13 Director); and

14 (ii) one shall be an employee of the
 15 National Park Service having experience
 16 relevant to the commemoration, who shall
 17 be appointed by the Secretary;

18 (B) 4 members shall be appointed by the
 19 Secretary from among individuals who, on the
 20 date of the enactment of this Act, are serving
 21 as members of the State of New York’s Hud-
 22 son-Fulton-Champlain Quadricentennial Com-
 23 mission and are residents of the Champlain
 24 Valley;

25 (C) 4 members shall be appointed by the
 26 Secretary from among individuals who, on the

1 date of the enactment of this Act, are serving
 2 as members of the State of Vermont's Lake
 3 Champlain Quadricentennial Commission and
 4 are residents of Vermont; and

5 (D) one member shall be appointed by the
 6 Secretary from among individuals who have an
 7 interest in, demonstrated their support for, and
 8 demonstrated expertise appropriate to, the com-
 9 memoration, and are knowledgeable of the
 10 Champlain Valley.

11 (2) TERM; VACANCIES.—

12 (A) TERM.—Each member of the Commis-
 13 sion shall be appointed for the life of the Com-
 14 mission.

15 (B) VACANCIES.—

16 (i) IN GENERAL.—A vacancy on the
 17 Commission shall be filled in the same
 18 manner in which the original appointment
 19 was made.

20 (ii) PARTIAL TERM.—A member ap-
 21 pointed to fill a vacancy on the Commis-
 22 sion shall serve for the remainder of the
 23 term for which the predecessor of the
 24 member was appointed.

25 (3) MEETINGS.—

1 (A) IN GENERAL.—The Commission shall
2 meet—

3 (i) at least twice each year; or

4 (ii) at the call of the chairperson or
5 the majority of the members of the Com-
6 mission.

7 (B) INITIAL MEETING.—Not later than 30
8 days after the date on which all members of the
9 Commission have been appointed, the Commis-
10 sion shall hold the initial meeting of the Com-
11 mission.

12 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

13 (A) IN GENERAL.—The Commission shall
14 elect the chairperson and the vice chairperson
15 of the Commission on an annual basis.

16 (B) VICE CHAIRPERSON.—The vice chair-
17 person shall serve as the chairperson in the ab-
18 sence of the chairperson.

19 (5) QUORUM.—A majority of voting members of
20 the Commission shall constitute a quorum, but a
21 lesser number may hold meetings.

22 (6) VOTING.—The Commission shall act only
23 on an affirmative vote of a majority of the voting
24 members of the Commission.

25 (c) DUTIES.—

1 (1) IN GENERAL.—The Commission shall—

2 (A) plan, develop, and execute programs
3 and activities appropriate to commemorate the
4 400th anniversary of the voyage of Samuel de
5 Champlain, the first European to discover and
6 explore Lake Champlain;

7 (B) facilitate Champlain-related activities
8 throughout the United States;

9 (C) coordinate its activities with State
10 commemoration commissions and appropriate
11 Federal Government entities, including the De-
12 partments of Agriculture, Defense, State, and
13 Transportation, the Lake Champlain Basin
14 Program, the National Endowment for the Hu-
15 manities and the National Endowment for the
16 Arts, and the Smithsonian Institution;

17 (D) encourage civic, patriotic, historical,
18 educational, artistic, religious, economic, and
19 other organizations throughout the United
20 States to organize and participate in anniver-
21 sary activities to expand the understanding and
22 appreciation of the significance of the voyage of
23 Samuel de Champlain;

1 (E) provide technical assistance to States,
2 localities, and nonprofit organizations to further
3 the commemoration;

4 (F) coordinate and facilitate for the public
5 scholarly research on, publication about, and in-
6 terpretation of, the voyage of Samuel de Cham-
7 plain;

8 (G) ensure that the Champlain 2009 anni-
9 versary provides a lasting legacy and long-term
10 public benefit by assisting in the development of
11 appropriate programs and facilities;

12 (H) assist in ensuring that the observances
13 of the voyage of Samuel de Champlain are in-
14 clusive and appropriately recognize the experi-
15 ences and heritage of all people present when
16 Samuel de Champlain arrived in the Champlain
17 Valley; and

18 (I) consult and coordinate with the Lake
19 Champlain Basin Program and other relevant
20 organizations in the planning and development
21 of programs and activities for the commemora-
22 tion of the voyage of Samuel de Champlain.

23 (2) STRATEGIC PLAN AND ANNUAL PERFORM-
24 ANCE PLANS.—The Commission shall prepare a
25 strategic plan in accordance with section 306 of title

1 5, United States Code, and annual performance
2 plans in accordance with section 1115 of title 31,
3 United States Code, for the activities of the Com-
4 mission carried out under this Act.

5 (3) REPORTS.—

6 (A) ANNUAL REPORT.—The Commission
7 shall submit to the Congress an annual report
8 that contains a list of each gift, bequest, or de-
9 vise with a value of more than \$250, together
10 with the identity of the donor of each such gift,
11 bequest, or devise.

12 (B) FINAL REPORT.—Not later than Sep-
13 tember 30, 2010, the Commission shall submit
14 to the Secretary a final report that contains—

15 (i) a summary of the activities of the
16 Commission;

17 (ii) a final accounting of funds re-
18 ceived and expended by the Commission;
19 and

20 (iii) the findings and recommenda-
21 tions of the Commission.

22 (d) POWERS OF THE COMMISSION.—

23 (1) IN GENERAL.—The Commission may—

24 (A) solicit, accept, use, and dispose of
25 gifts, bequests, or devises of money or other

1 real or personal property for the purpose of aid-
2 ing or facilitating the work of the Commission;

3 (B) appoint such advisory committees as
4 the Commission determines to be necessary to
5 carry out this Act;

6 (C) authorize any member or employee of
7 the Commission to take any action that the
8 Commission is authorized to take by this Act;

9 (D) subject to the availability of appropria-
10 tions, procure supplies, services, and property,
11 and make or enter into contracts, leases, or
12 other legal agreements, to carry out this Act,
13 except that any contracts, leases, or other legal
14 agreements made or entered into by the Com-
15 mission directly or with administrative assist-
16 ance from the Lake Champlain Basin Program
17 shall not extend beyond the date of the termi-
18 nation of the Commission;

19 (E) use the United States mails in the
20 same manner and under the same conditions as
21 other Federal agencies;

22 (F) subject to approval by the Commission
23 and the availability of appropriations, make
24 grants in amounts not to exceed \$20,000 to
25 communities, nonprofit organizations, and com-

1 memorative commissions formed by the States
2 to develop programs to assist in the commemoration;
3 ration;

4 (G) subject to the availability of appropriations, make grants in amounts not to exceed
5 \$20,000 to research and scholarly organizations
6 to research, publish, or distribute information
7 relating to the early history of the voyage of
8 Champlain; and
9 Champlain; and

10 (H) provide technical assistance to the
11 States, localities, and nonprofit organizations to
12 develop programs and facilities to further the
13 commemoration.

14 (2) COORDINATION AND CONSULTATION WITH
15 LAKE CHAMPLAIN BASIN PROGRAM.—The Commission shall coordinate and consult with the Lake
16 Champlain Basin Program in providing grants and
17 technical assistance under subparagraphs (F), (G),
18 and (H) of paragraph (1) for the conduct of activities relating to the commemoration of the voyage of
19 Samuel de Champlain.
20 Samuel de Champlain.

21 (e) COMMISSION PERSONNEL MATTERS.—

22 (1) COMPENSATION OF MEMBERS OF THE COMMISSION.—
23 MISSION.—
24 MISSION.—

1 (A) IN GENERAL.—Except as provided in
 2 subparagraph (B), a member of the Commis-
 3 sion shall serve without compensation.

4 (B) FEDERAL EMPLOYEES.—A member of
 5 the Commission who is an officer or employee
 6 of the Federal Government shall serve without
 7 compensation in addition to the compensation
 8 received for the services of the member as an
 9 officer or employee of the Federal Government.

10 (C) TRAVEL EXPENSES.—A member of the
 11 Commission shall be allowed travel expenses, in-
 12 cluding per diem in lieu of subsistence, at rates
 13 authorized for an employee of an agency under
 14 subchapter I of chapter 57 of title 5, United
 15 States Code, while away from the home or reg-
 16 ular place of business of the member in the per-
 17 formance of the duties of the Commission.

18 (2) STAFF.—

19 (A) IN GENERAL.—The chairperson of the
 20 Commission may, without regard to the civil
 21 service laws (including regulations), appoint
 22 and terminate an executive director and such
 23 other additional personnel as are necessary to
 24 enable the Commission to perform the duties of
 25 the Commission.

1 (B) CONFIRMATION OF EXECUTIVE DIREC-
 2 TOR.—The employment of an executive director
 3 shall be subject to confirmation by the Commis-
 4 sion.

5 (3) COMPENSATION.—

6 (A) IN GENERAL.—Except as provided in
 7 subparagraph (B), the chairperson of the Com-
 8 mission may fix the compensation of the execu-
 9 tive director and other personnel without regard
 10 to the provisions of chapter 51 and subchapter
 11 III of chapter 53 of title 5, United States Code,
 12 relating to classification of positions and Gen-
 13 eral Schedule pay rates.

14 (B) MAXIMUM RATE OF PAY.—The rate of
 15 pay for the executive director and other per-
 16 sonnel shall not exceed the rate payable for
 17 level V of the Executive Schedule under section
 18 5316 of title 5, United States Code.

19 (4) DETAIL OF GOVERNMENT AND LAKE CHAM-
 20 PLAIN BASIN PROGRAM EMPLOYEES.—

21 (A) FEDERAL EMPLOYEES.—

22 (i) IN GENERAL.—At the request of
 23 the Commission, the head of any Federal
 24 agency may detail, on a reimbursable or
 25 nonreimbursable basis, any of the per-

sonnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(ii) CIVIL SERVICE STATUS.—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.

(B) STATE EMPLOYEES.—The Commission may—

(i) accept the services of personnel detailed from States (including subdivisions of States); and

(ii) reimburse States for services of detailed personnel.

(C) LAKE CHAMPLAIN BASIN PROGRAM EMPLOYEES.—The Commission may—

(i) accept the services of personnel from the Lake Champlain Basin Program; and

(ii) reimburse the Lake Champlain Basin Program for services of detailed personnel.

(5) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and

1 use voluntary and uncompensated services as the
2 Commission determines necessary.

3 (6) SUPPORT SERVICES.—The Director of the
4 National Park Service shall provide to the Commis-
5 sion, on a reimbursable basis, such administrative
6 support services as the Commission may request.

7 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
8 TENT SERVICES.—Subject to the availability of appropria-
9 tions, the chairperson of the Commission may procure
10 temporary and intermittent services in accordance with
11 section 3109(b) of title 5, United States Code, at rates
12 for individuals that do not exceed the daily equivalent of
13 the annual rate of basic pay prescribed for level V of the
14 Executive Schedule under section 5316 of that title.

15 (g) FACA NONAPPLICABILITY.—Section 14(b) of the
16 Federal Advisory Committee Act (5 U.S.C. App.) shall not
17 apply to the Commission.

18 (h) NO EFFECT ON AUTHORITY.—Nothing in this
19 section supersedes the authority of the States or the Na-
20 tional Park Service concerning the commemoration.

21 (i) TERMINATION.—The Commission shall terminate
22 on December 31, 2010, and shall transfer all documents
23 and materials of the Commission to the National Archives
24 or other appropriate Federal entity.

1 **SEC. 203. AUDIT OF COMMISSION.**

2 The Inspector General of the Department of the Inte-
3 rior shall perform an annual audit of the Commission,
4 shall make the results of the audit available to the public,
5 and shall transmit such results to the Committee on Gov-
6 ernment Reform of the House of Representatives.

7 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated \$500,000 for
9 each of fiscal years 2006 through 2011 to carry out this
10 title, of which—

11 (1) 45 percent shall be for New York activities
12 relating to the Samuel de Champlain commemora-
13 tion;

14 (2) 45 percent shall be for Vermont activities
15 relating to the Samuel de Champlain commemora-
16 tion; and

17 (3) 10 percent shall be for distribution by the
18 Commission in accordance with this Act for activities
19 relating to the commemoration.

20 **TITLE III—HUDSON-FULTON**
21 **400TH COMMEMORATION**
22 **COMMISSION**

23 **SEC. 301. DEFINITIONS.**

24 In this title:

25 (1) **COMMEMORATION.**—The term “commemo-
26 ration” means the commemoration of—

1 (A) the 200th anniversary of Robert Ful-
 2 ton's voyage in the CLERMONT; and

3 (B) the 400th anniversary of Henry Hud-
 4 son's voyage in the HALF MOON.

5 (2) COMMISSION.—The term “Commission”
 6 means the Hudson-Fulton 400th Commemoration
 7 Commission established by section 302(a).

8 (3) GOVERNOR.—The term “Governor” means
 9 the Governor of the State of New York.

10 (4) SECRETARY.—The term “Secretary” means
 11 the Secretary of the Interior.

12 (5) STATE.—The term “State”—

13 (A) means the State of New York; and

14 (B) includes agencies and entities of each
 15 such State.

16 **SEC. 302. HUDSON-FULTON 400TH COMMEMORATION COM-**
 17 **MISSION.**

18 (a) IN GENERAL.—The Secretary shall establish a
 19 commission to be known as the “Hudson-Fulton 400th
 20 Commemoration Commission”.

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The Commission shall be
 23 composed of 16 members, of whom—

1 (A) 1 member shall be appointed by the
2 Secretary, after consideration of the rec-
3 ommendation of the Governor;

4 (B) 6 members shall be appointed by the
5 Secretary, after consideration of the rec-
6 ommendations from the Members of the House
7 of Representative whose districts encompass the
8 Hudson River Valley;

9 (C) 2 members shall be appointed by the
10 Secretary, after consideration of the rec-
11 ommendations from the Members of the Senate
12 from New York;

13 (D) 2 members shall be employees of the
14 National Park Service, of whom—

15 (i) one shall be the Director of the
16 National Park Service (or a designee of the
17 Director); and

18 (ii) one shall be an employee of the
19 National Park Service having experience
20 relevant to the commemoration, who shall
21 be appointed by the Secretary;

22 (E) 2 members shall be appointed by the
23 Secretary from among individuals who have an
24 interest in, demonstrated their support for, and

1 demonstrated expertise appropriate to, the com-
 2 memoration, of whom—

3 (i) one shall be knowledgeable of the
 4 Hudson River Valley National Heritage
 5 Area; and

6 (ii) one shall be knowledgeable of New
 7 York City as it relates to the commemora-
 8 tion;

9 (F) one member shall be the chairperson of
 10 the commemorative commission formed by New
 11 York, or the designee of the chairperson; and

12 (G) two members shall be appointed by the
 13 Secretary, after consideration of the rec-
 14 ommendation of the mayor of the City of New
 15 York and after consultation with Members of
 16 the House of Representatives whose districts
 17 encompass the City of New York.

18 (2) TERM; VACANCIES.—

19 (A) TERM.—Each member of the Commis-
 20 sion shall be appointed for the life of the Com-
 21 mission.

22 (B) VACANCIES.—

23 (i) IN GENERAL.—A vacancy on the
 24 Commission shall be filled in the same

1 manner in which the original appointment
2 was made.

3 (ii) PARTIAL TERM.—A member ap-
4 pointed to fill a vacancy on the Commis-
5 sion shall serve for the remainder of the
6 term for which the predecessor of the
7 member was appointed.

8 (3) MEETINGS.—

9 (A) IN GENERAL.—The Commission shall
10 meet—

11 (i) at least twice each year; or

12 (ii) at the call of the chairperson or
13 the majority of the members of the Com-
14 mission.

15 (B) INITIAL MEETING.—Not later than 30
16 days after the date on which all members of the
17 Commission have been appointed, the Commis-
18 sion shall hold the initial meeting of the Com-
19 mission.

20 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

21 (A) IN GENERAL.—The Commission shall
22 elect the chairperson and the vice chairperson
23 of the Commission on an annual basis.

1 (B) VICE CHAIRPERSON.—The vice chair-
 2 person shall serve as the chairperson in the ab-
 3 sence of the chairperson.

4 (5) QUORUM.—A majority of voting members
 5 shall constitute a quorum, but a lesser number may
 6 hold meetings.

7 (6) VOTING.—

8 (A) IN GENERAL.—The Commission shall
 9 act only on an affirmative vote of a majority of
 10 the voting members of the Commission.

11 (B) NONVOTING MEMBER.—The individual
 12 appointed under subparagraph (D)(ii) of para-
 13 graph (1) shall be a nonvoting member, and
 14 shall serve only in an advisory capacity.

15 (c) DUTIES.—

16 (1) IN GENERAL.—The Commission shall—

17 (A) plan, develop, and execute programs
 18 and activities appropriate to commemorate the
 19 400th anniversary of the voyage of Henry Hud-
 20 son, the first European to sail up the Hudson
 21 River, and the 200th anniversary of the voyage
 22 of Robert Fulton, the first person to use steam
 23 navigation on a commercial basis;

24 (B) facilitate Hudson-Fulton-related activi-
 25 ties throughout the United States;

1 (C) coordinate its activities with the State
2 commemoration commission and appropriate
3 Federal Government agencies, including the De-
4 partments of Agriculture, Defense, State, and
5 Transportation, the National Park Service with
6 respect to the Hudson River Valley National
7 Heritage Area, and the American Heritage Riv-
8 ers Initiative Interagency Committee estab-
9 lished by Executive Order 13061, dated Sep-
10 tember 11, 1997, the National Endowment for
11 the Humanities and the National Endowment
12 for the Arts, and the Smithsonian Institution;

13 (D) encourage civic, patriotic, historical,
14 educational, artistic, religious, economic, and
15 other organizations throughout the United
16 States to organize and participate in anniver-
17 sary activities to expand the understanding and
18 appreciation of the significance of the voyages
19 of Henry Hudson and Robert Fulton;

20 (E) provide technical assistance to States,
21 localities, and nonprofit organizations to further
22 the commemoration;

23 (F) coordinate and facilitate for the public
24 scholarly research on, publication about, and in-

1 terpretation of, the voyages of Henry Hudson
2 and Robert Fulton;

3 (G) ensure that the Hudson-Fulton 2009
4 commemorations provide a lasting legacy and
5 long-term public benefit by assisting in the de-
6 velopment of appropriate programs and facili-
7 ties; and

8 (H) assist in ensuring that the observances
9 of the voyage of Henry Hudson are inclusive
10 and appropriately recognize the experiences and
11 heritage of all people present when Henry Hud-
12 son sailed the Hudson River.

13 (2) STRATEGIC PLAN AND ANNUAL PERFORM-
14 ANCE PLANS.—The Commission shall prepare a
15 strategic plan in accordance with section 306 of title
16 5, United States Code, and annual performance
17 plans in accordance with section 1115 of title 31,
18 United States Code, for the activities of the Com-
19 mission carried out under this Act.

20 (3) REPORTS.—

21 (A) ANNUAL REPORT.—The Commission
22 shall submit to the Congress an annual report
23 that contains a list of each gift, bequest, or de-
24 vise with a value of more than \$250, together

1 with the identity of the donor of each such gift,
2 bequest, or devise.

3 (B) FINAL REPORT.—Not later than Sep-
4 tember 30, 2010, the Commission shall submit
5 to the Secretary a final report that contains—

6 (i) a summary of the activities of the
7 Commission;

8 (ii) a final accounting of funds re-
9 ceived and expended by the Commission;
10 and

11 (iii) the findings and recommenda-
12 tions of the Commission.

13 (d) POWERS OF THE COMMISSION.—

14 (1) IN GENERAL.—The Commission may—

15 (A) solicit, accept, use, and dispose of
16 gifts, bequests, or devises of money or other
17 real or personal property for the purpose of aid-
18 ing or facilitating the work of the Commission;

19 (B) appoint such advisory committees as
20 the Commission determines to be necessary to
21 carry out this Act;

22 (C) authorize any member or employee of
23 the Commission to take any action that the
24 Commission is authorized to take by this Act;

1 (D) subject to the availability of appropria-
2 tions, procure supplies, services, and property,
3 and make or enter into contracts, leases, or
4 other legal agreements, to carry out this Act ex-
5 cept that any contracts, leases, or other legal
6 agreements made or entered into by the Com-
7 mission shall not extend beyond the date of the
8 termination of the Commission;

9 (E) use the United States mails in the
10 same manner and under the same conditions as
11 other Federal agencies;

12 (F) subject to approval by the Commission
13 and the availability of appropriations, make
14 grants in amounts not to exceed \$20,000 to
15 communities, nonprofit organizations, and com-
16 memorative commissions formed by the State to
17 develop programs to assist in the commemora-
18 tion;

19 (G) subject to the availability of appropria-
20 tions, make grants in amounts not to exceed
21 \$20,000 to research and scholarly organizations
22 to research, publish, or distribute information
23 relating to the early history of the voyages of
24 Hudson and Fulton; and

1 (H) provide technical assistance to the
2 State, localities, and nonprofit organizations to
3 develop programs and facilities to further the
4 commemoration.

5 (e) COMMISSION PERSONNEL MATTERS.—

6 (1) COMPENSATION OF MEMBERS OF THE COM-
7 MISSION.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), a member of the Commis-
10 sion shall serve without compensation.

11 (B) FEDERAL EMPLOYEES.—A member of
12 the Commission who is an officer or employee
13 of the Federal Government shall serve without
14 compensation in addition to the compensation
15 received for the services of the member as an
16 officer or employee of the Federal Government.

17 (C) TRAVEL EXPENSES.—A member of the
18 Commission shall be allowed travel expenses, in-
19 cluding per diem in lieu of subsistence, at rates
20 authorized for an employee of an agency under
21 subchapter I of chapter 57 of title 5, United
22 States Code, while away from the home or reg-
23 ular place of business of the member in the per-
24 formance of the duties of the Commission.

25 (2) STAFF.—

1 (A) IN GENERAL.—The chairperson of the
2 Commission may, without regard to the civil
3 service laws (including regulations), appoint
4 and terminate an executive director and such
5 other additional personnel as are necessary to
6 enable the Commission to perform the duties of
7 the Commission.

8 (B) CONFIRMATION OF EXECUTIVE DIREC-
9 TOR.—The employment of an executive director
10 shall be subject to confirmation by the Commis-
11 sion.

12 (3) COMPENSATION.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the chairperson of the Com-
15 mission may fix the compensation of the execu-
16 tive director and other personnel without regard
17 to the provisions of chapter 51 and subchapter
18 III of chapter 53 of title 5, United States Code,
19 relating to classification of positions and Gen-
20 eral Schedule pay rates.

21 (B) MAXIMUM RATE OF PAY.—The rate of
22 pay for the executive director and other per-
23 sonnel shall not exceed the rate payable for
24 level V of the Executive Schedule under section
25 5316 of title 5, United States Code.

1 (4) DETAIL OF GOVERNMENT EMPLOYEES.—

2 (A) FEDERAL EMPLOYEES.—

3 (i) IN GENERAL.—At the request of
4 the Commission, the head of any Federal
5 agency may detail, on a reimbursable or
6 nonreimbursable basis, any of the per-
7 sonnel of the agency to the Commission to
8 assist the Commission in carrying out the
9 duties of the Commission under this Act.

10 (ii) CIVIL SERVICE STATUS.—The de-
11 tail of an employee under clause (i) shall
12 be without interruption or loss of civil serv-
13 ice status or privilege.

14 (B) STATE EMPLOYEES.—The Commission
15 may—

16 (i) accept the services of personnel de-
17 tailed from the State (including subdivi-
18 sions of the State); and

19 (ii) reimburse the State for services of
20 detailed personnel.

21 (5) VOLUNTEER AND UNCOMPENSATED SERV-
22 ICES.—Notwithstanding section 1342 of title 31,
23 United States Code, the Commission may accept and
24 use voluntary and uncompensated services as the
25 Commission determines necessary.

1 (6) SUPPORT SERVICES.—The Director of the
 2 National Park Service shall provide to the Commis-
 3 sion, on a reimbursable basis, such administrative
 4 support services as the Commission may request.

5 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
 6 TENT SERVICES.—Subject to the availability of appropria-
 7 tions, the chairperson of the Commission may procure
 8 temporary and intermittent services in accordance with
 9 section 3109(b) of title 5, United States Code, at rates
 10 for individuals that do not exceed the daily equivalent of
 11 the annual rate of basic pay prescribed for level V of the
 12 Executive Schedule under section 5316 of that title.

13 (g) FACA NONAPPLICABILITY.—Section 14(b) of the
 14 Federal Advisory Committee Act (5 U.S.C. App.) shall not
 15 apply to the Commission.

16 (h) NO EFFECT ON AUTHORITY.—Nothing in this
 17 section supersedes the authority of the States or the Na-
 18 tional Park Service concerning the commemoration.

19 (i) TERMINATION.—The Commission shall terminate
 20 on December 31, 2010, and shall transfer all documents
 21 and materials of the Commission to the National Archives
 22 or other appropriate Federal entity.

23 **SEC. 303. AUDIT OF COMMISSION.**

24 The Inspector General of the Department of the Inte-
 25 rior shall perform an annual audit of the Commission,

1 shall make the results of the audit available to the public,
2 and shall transmit such results to the Committee on Gov-
3 ernment Reform of the House of Representatives.

4 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated \$500,000 for
6 each of fiscal years 2006 through 2011 to carry out this
7 title, of which—

8 (1) 80 percent shall be for Hudson Valley ac-
9 tivities relating to the commemoration;

10 (2) 10 percent shall be for New York City ac-
11 tivities relating to the commemoration; and

12 (3) 10 percent shall be for distribution by the
13 Commission in accordance with this Act for activities
14 relating to the commemoration.

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